

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

FIRST SET OF INFORMATION REQUESTS OF NSTAR GAS COMPANY TO THE
DIVISION OF PIPELINE ENGINEERING AND SAFETY

D.T.E. 05-36

November 16, 2005

Person Responsible: Christopher Bourne

Information Request: NSTAR 1-33

Please provide all documents that establish, discuss, or otherwise support a Division requirement that interior leak surveys of a residential dwelling be performed as part of a business-district leak survey.

Response

Both federal and state pipeline safety regulations require operators to leak survey their piping which is located in a business district. These leak surveys must be done annually. Neither set of regulations exempt any portion of an operator's pipeline.

The state regulations which require annual leak surveys of pipelines in business districts are in 220 C.M.R. §§ 100.00 *et. seq.* One section is 220 C.M.R. § 101.06(21): Distribution Systems: leakage Surveys and Procedures, which states, in the relevant part:

“(21) Distribution Systems Leakage Surveys and Procedures. (Section 192.773 MFS Standards.) Each operator having a gas distribution system shall conduct leakage surveys, as frequently as experience and technology indicates they are necessary, but in no event shall such leakage surveys be less than the following minimum standards:

(a) Business Districts. A gas detector survey must be conducted in business districts including tests of the atmosphere in gas, electric, telephone, sewer and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks, at intervals not exceeding one year.”

220 C.M.R. § 101.06(21) (Emphasis added.).

The portion of the service line that was located in the basement of 65 Main Street, Hopkinton was aboveground and directly accessible to a person conducting a leak survey. Therefore, it provided an opportunity to find a gas leak.

An additional requirement is contained in 220 C.M.R. § 107.07: Leakage Survey of All Service Lines, which states in the relevant part:

“(1) Each operator of gas service lines shall conduct leakage surveys over all service lines as frequently as experience and technology indicate are necessary, and in accordance with 49 C.F.R. Part 192.”

220 C.M.R. § 107.07(1).

The federal regulation which sets the requirement for leak surveys in business districts is 49 C.F.R. § 192.723: Distribution systems: Leakage surveys, which states in the relevant part:

“a) Each operator of a distribution system shall conduct periodic leakage surveys in accordance with this section.
(b) The type and scope of the leakage control program must be determined by the nature of the operations and the local conditions, but it must meet the following minimum requirements:
(1) A leakage survey with leak detector equipment must be conducted in business districts, including tests of the atmosphere in gas, electric, telephone, sewer, and water system manholes, at cracks in pavement and sidewalks, and at other locations providing an opportunity for finding gas leaks, at intervals not exceeding 15 months, but at least once each calendar year.”

49 C.F.R. § 192.723 (Emphasis added.).

The portion of the service line that was located in the basement of 65 Main Street, Hopkinton was aboveground and directly accessible to a person conducting a leak survey. Therefore, it provided an opportunity to find a gas leak.

The portion of the pipeline that was located in the basement of 65 Main Street, Hopkinton was a portion of a service line. The U.S. Department of Transportation/Office of Pipeline Safety (“OPS”) has stated that service lines must be leak surveyed. This interpretation is contained in an October 17, 1972 letter from Joseph Caldwell, Director of the Office of Pipeline Safety. The letter states in relevant part:

“Section 192.723 of Part 192, Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards, (49 CFR Section 192.723), requires that each operator of a distribution system shall provide for periodic leakage surveys. Since distribution lines are integral parts of a distribution system, such lines would be subject to the leak survey requirements of Section 192.723. Section 192.3, in turn, defines service line as a distribution line that transports gas from a common source of supply to a customer meter set assembly. Therefore, service lines from mains to the gas meters are required to be included in the periodic leakage surveys in accordance with the provisions of Section 192.723.”

A copy of the letter is attached as Exhibit NSTAR 1-33(A).

A second interpretation letter, dated October 16, 1973, from Cesar De Leon, Deputy Director of OPS, also states that OPS considers portions of a service line located in a customer's premises is subject to leak survey requirements of Part 192. The letter states in part:

“Section 192.3, 49 CFR, defines a service line as a distribution line that transports gas from a common source of supply to (1) a customer meter or the connection to a customer's piping, which ever is farther downstream, or (2) the connection to a customer's piping if there is not customer meter.

Pursuant to §192.723(b)(1), all service lines subject to the regulations as defined in §192.3, including the meter, must be included in the leakage survey conducted, regardless if they are located inside of a building.”

A copy of the letter is attached as Exhibit NSTAR 1-33(B).

Please see responses to information requests NSTAR 1-13, 1-22, and 1-23.

Interpretation 192.723 5

October 17, 1972

Mr. R. D. Hodges
Pan American Engineers
2708 N. Acadian Thru. W.
Baton Rouge, Louisiana 70805

Dear Mr. Hodges:

This is in response to your letter of September 27, 1972, addressed to Mr. Taylor of our Houston office. With regard to natural gas system, you ask whether testing (in the form of leakage surveys) is required by the regulations for service lines going from the mains to the gas meter.

Section 192.723 of Part 192, Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards, (49 CFR Section 192.723), requires that each operator of a distribution system shall provide for periodic leakage surveys. Since distribution lines are integral parts of a distribution system, such lines would be subject to the leak survey requirements of Section 192.723. Section 192.3, in turn, defines service line as a distribution line that transports gas from a common source of supply to a customer meter set assembly. Therefore, service lines from mains to the gas meters are required to be included in the periodic leakage surveys in accordance with the provisions of Section 192.723.

I trust this provides the clarification you need. If you have further questions, we will be pleased to respond.

Sincerely,

/signed/

Joseph C. Caldwell
Director
Office of Pipeline Safety

Waiver 192.723 6

October 16, 1973

Mr. John T. Stanclift
114 Woodlawn Street
Geneva, OH 44041

Dear Mr. Stanclift:

Pursuant to my conference with you and Mr. Dick Murphy, Assistant to the General President of Service Employees International Union of the AFL-CIO, and Messrs, Byer and Meyers of Local 555 of the same union on September 27, 1973, we are responding to your further inquiry regarding our letter to you dated June 22, 1973.

Pursuant to our response to you in that letter, you further inquire that if the customer meter to a building is located inside the building, should the leak survey that is conducted pursuant to §192.723(b)(1) include the meter?

Section 192.3, 49 CFR, defines a service line as a distribution line that transports gas from a common source of supply to (1) a customer meter or the connection to a customer's piping, which ever is farther downstream, or (2) the connection to a customer's piping if there is not customer meter.

Pursuant to §192.723(b)(1), all service lines subject to the regulations as defined in §192.3, including the meter, must be included in the leakage survey conducted, regardless if they are located inside of a building.

We trust that we have answered your specific questions. If we can be of further assistance, please let us know.

Sincerely,

/signed/

Cesar DeLeon
Deputy Director
Office of Pipeline Safety

